REMARKS

Applicant submits this response to the Office Action dated August 27, 2004. Pursuant to 37 C..F.R. § 1.111, applicant respectfully requests reconsideration of each and every grounds of the rejection of the claims.

The Office Action objected to claim 1 for informalities. Claims 1-4 were rejected under 35 U.S.C. § 112 for indefiniteness. The drawings were also objected to as failing to comply with 37 C.F.R. § 1.84(p)(5) for use of certain reference numerals that are not in the specification. These rejections and objections have been addressed in the foregoing amendments. They have been corrected and a copy of the replacement figures are attached.

Claims 1-6 were rejected under 35 U.S.C. § 102(b) as anticipated by Schwab et al. U.S. Patent 5,922,103. The Office Action cites to the Abstract, col. 2, ll. 14-16 and 32-67; col. 3, ll. 34-58; col. 4, ll. 5-57; col. 5, ll. 28-55; col. 8, ll. 5-60, col. 9, l. 33 through col. 12, l. 27. Unlike the present invention, Schwab et al. is directed to a system which uses an override control loop to protect an electrostatic precipitator from overheated gases which may be diverted in the case of an abnormal plant condition. The override control loop adjusts spray based on a calculation of the spray characteristics needed to meet new conditioning requirements in the override condition. For this reason, the spray droplets are made as large as possible or when possible, to reduce the energy usage of the system.

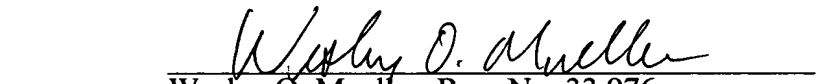
While Schwab et al. discloses that the compressed air usage of nozzle means 50 can be reduced for reducing total energy consumption (*see,* e.g., col. 9, lines 43 *et seq.*), Schwab et al. employs a relationship based on computer modeling techniques (*see,* e.g., col. 10, lines 29-33), and other data. Schwab et al. further discloses a non-linear relationship that is directly programmed into the software that operates the controller 60 (see col. 11, ll. 52-54).

Thus, Schwab et al. does not have the flexibility of the present invention, which uses different parameters to control the operation of the system.

Conclusion

Applicant submits that the claims presented herein are patentable. Prompt and favorable consideration is earnestly solicited.

Respectfully submitted,



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